

January 8, 2008

Honorable Michael L. Orenstein, U.S.M.J.
United States District Court, Eastern District of New York
Long Island Courthouse
100 Federal Plaza
Central Islip, NY 11722

Re: Hill v. County of Suffolk
CV 02-3901 (DRH)(MLO)

Dear Judge Orenstein:

On behalf of defendants in this §1983 civil rights action, I write in response to plaintiff's Affirmation Motion to Compel Discovery.

We are not able to discern precisely what items of discovery plaintiff now seeks. To the extent he claims to need discovery to respond to our motion for summary judgment, we apprise the court that defendants are voluntarily providing such discovery. The only ground for the motion is that plaintiff never filed a written grievance concerning the incidents alleged in the complaint. A copy of plaintiff's entire grievance file has been served on plaintiff in support of the motion.

Defendants object to plaintiff's requests that: a) they re-serve all previously served items of discovery; and b) provide additional unspecified discovery. We do not believe there is a basis for such relief.

Very truly yours,

Christine Malafi
Suffolk County Attorney

Arlene S. Zwilling AZ/5918
Assistant County Attorney

ASZ:mar
cc: Demetrius Hill, Plaintiff Pro Se